IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA ANDERSON/GREENWOOD DIVISION

Terry D. Swanger, a/k/a Terry D.		
Swanger,)	C.A. No.: 8:11-cv-02980-RBH
Plaintiff,)	
)	
VS.)	ORDER
)	
)	
Arthur S. Benjamin; Jasper County)	
Detention Center,)	
Defendants		

Plaintiff, proceeding *pro se*, brought this civil rights action under 42 U.S.C. § 1983. This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Jacquelyn D. Austin, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. See 28 U.S.C. § 636(b)(1).

Neither party has filed objections to the Report and Recommendation. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. <u>See Camby v. Davis</u>, 718 F.2d 198,

199 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. See

Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310 (4th Cir. 2005) stating that "in the

absence of a timely filed objection, a district court need not conduct de novo review, but instead

must 'only satisfy itself that there is no clear error on the face of the record in order to accept the

recommendation." (quoting Fed. R. Civ. P. 72 advisory committee's note).

After a thorough review of the record in this case, the Court finds no clear error.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated

by reference. Therefore, it is

ORDERED that Defendants' Motion for Summary Judgment [Doc/ # 41] is GRANTED.

IT IS SO ORDERED.

s/ R. Bryan Harwell

R. Bryan Harwell

United States District Judge

Florence, South Carolina September 4, 2012

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